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**FAX TRANSMISSION****DATE:** March 30, 2005**PTO IDENTIFIER:** Application Number 10/722261-Conf. #6374  
Patent Number**Inventor:** Daniel J. Heaney et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP  
Myron Keith Wyche**PHONE:** (202) 331-7111**Attorney Dkt. #:** 10253-00125-US**PAGES (Including Cover Sheet):** 16**CONTENTS:** Amendment Responsive to Office Action dated 12/30/2004 (10 pages)  
Terminal Disclaimer (1 page)  
Fec Transmittal (1 page)  
Copy of Declaration for Utility Application (1 page)  
Copy of Statement Under 37 CFR 3.73(b) executed on 11/21/2003 and filed in parent file  
10/100,811 (1 page)  
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PTO/SB/97 (08-04)

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Application No. (if known): 10/722261

Attorney Docket No.: 10253-00125-US

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Amendment Responsive to Office Action dated 12/30/2004 (10 pages)

Terminal Disclaimer (1 page)

Fee Transmittal (1 page)

Copy of Declaration for Utility Application (1 page)

Copy of Statement Under 37 CFR 3.73(b) executed on 11/21/2003 and filed in parent file 10/100,811 (1 page)

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4810). <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>				<b>Complete If Known</b>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				Application Number	10/722261-Conf. #8374	
				Filing Date	November 25, 2003	
				First Named Inventor	Daniel J. Heaney	
				Examiner Name	Not Yet Assigned	
				Art Unit	N/A	
TOTAL AMOUNT OF PAYMENT		(\$)		130.00	Attorney Docket No.	10253-00125-US

  

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FEE CALCULATION								
1. BASIC FILING, SEARCH, AND EXAMINATION FEES								
Application Type	Fee (\$)	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		
2. EXCESS CLAIM FEES								
Fee Description	Fee (\$)	Small Entity Fee (\$)						
Each claim over 20 (including Reissues)		50	25					
Each independent claim over 3 (including Reissues)		200	100					
Multiple dependent claims		360	180					
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims			
_____ - 20 = _____		x	_____ = _____	Fee (\$)      Fee Paid (\$)				
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)				
_____ - 3 = _____		x	_____ = _____					
3. APPLICATION SIZE FEE								
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)			
_____ - 100 = _____	/50	_____ (round up to a whole number) x		_____ =	_____			
4. OTHER FEE(S)								
Non-English Specification, \$130 fee (no small entity discount)								
Other (e.g., late filing surcharge): 1814 Statutory Disclaimer				130.00				

  

<b>SUBMITTED BY</b>			
Signature	<u>Myron Keith Wyche</u>	Registration No. (Attorney/Agent)	47,341
Name (Print/Type)	Myron Keith Wyche	Telephone	(202) 331-7111
		Date	March 30, 2005

MAR 30 2005

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 10253-00125-US
<p>In re Application of: Daniel J. Heaney et al.</p> <p>Application No.: 10/722281-Conf. #6374</p> <p>Filed: November 25, 2003</p> <p>For: UNWINDER FOR AS-SPUN ELASTOMERIC FIBER</p> <p>The owner, <u>E. I. DU PONT DE NEMOURS AND COMPANY</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>10/722,261</u>, filed on <u>November 25, 2003</u>, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>47,341</u></p> <p><u>Myron K. Wyche</u> <u>March 30, 2005</u> Signature Date</p> <p><u>Myron K. Wyche</u> Typed or printed name</p> <p><u>202-572-0332</u> Telephone Number</p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p> <p>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.</p>	